

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1 - 9, 11 - 16, 18 - 30, 36 - 46, and 48 – 66 are now in the application. Claims 1, 30, 36, and 39 - 46 have been amended. Claims 10, 17, 31 - 35, and 47 are canceled.

More specifically, all of the claims now contain the "ash value" limitation. That is, the claims directed to the "fillers" (claims 66, 30, 36-47, 49-62, 64) now also contain the limitation that the ash value is limited to not more than 4%. The newly added claim 66 is a verbatim copy of claim 1 and the portion of claim 10 dealing with the fillers.

All of the claims remaining in the application now contain, inter alia, a limitation that the "ash value" of the primary product is limited to not more than 4% (independent claims 1, 14, 66) or not more than 2% (independent claim 18), respectively.

This brings us to the Office action. The Examiner pointed out that the declaration under 37 CFR § 1.131 filed on October 3, 2005 is "ineffective" to remove the reference Mercuri (US 6,517,964) because, allegedly, the appendix 1A was not submitted with the declaration.

According to counsel's records, the appendix was indeed submitted. Enclosed herewith are copies of the pertinent pages from the SIGRAFLEX® brochure. Page 7

02-22-'06 14:31 FROM-Lerner & Greenberg
SGL 00/9 - Application No. 10/006,419
Response to Office action 12/28/2005
Response submitted February 22, 2006

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T-638 P18/22 U-810

of the brochure explains the product designations. The ash content (in %) appears at the fourth position and it is designated with one of the letters Z, E, C, or D.

The Examiner is requested to accept the four-page copy of the SIGRAFLEX® brochure into the record. The information in the brochure, in combination with the Rule 131 declaration and the other appendices, proves beyond a doubt that the inventors were in the possession of the invention, as claimed, at least as early as November 30, 2000.

It is once more submitted that Mercuri is not available as a prior art reference and that the claims, as amended, are patentable over the prior art of record. In view of the foregoing, reconsideration and allowance of claims 1 - 9, 11 - 16, 18 - 30, 36 - 46, and 48 - 66 are solicited.

No monies are believed to be due with this amendment. Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



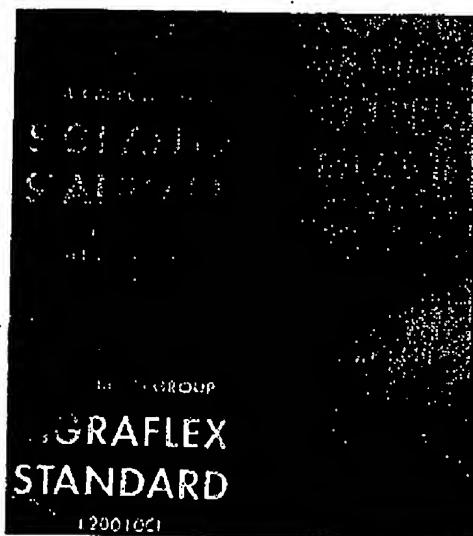
For Applicants

WHS:am - February 22, 2006
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WERNER H. STEMER
REG. NO. 34,956

®SIGRAFLEX

Products manufactured from flexible graphite foil



SGL CARBON GROUP

SIGRAFLEX**UNIVERSAL**V20010C21
DIN 28091-CR1-1 M-Cr

SGL CARBON GROUP

SIGRAFLEX**UNIVERSAL**V20010C21
DIN 28091-CR1-1 M

SGL CARBON GROUP

SIGRAFLEX**EMAIL**V20011ZSE
DIN 28091-CR0-2-Cr

SGL CARBON GROUP

SIGRAFLEX**HOCHDRUCK**V20011ZSI
DIN 28091-CR1-3 Cr

This information is based on our present state of knowledge and is intended to provide general notes on our products and their uses. It should therefore not be construed as guaranteeing specific properties of the products described or their suitability for a particular application. Any existing industrial property rights must be observed. The quality of our products is guaranteed under our "General Conditions of Sale".

12 99/2 2NÁ DG Printed in Germany

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SGL CARBON GROUP

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Example of product designation

SIGRAFLEX**V 200 10 C 2****PRODUCT
DESIGNATIONS**

Type

- F Foil
- L Sheet
- V Reinforced sheet

Thickness
in hundredths
of a mmBulk density
of graphite
in tenths of
g/cm³

Ash content

- Z ≤ 0.15 %
- E ≤ 1.00 % with
oxidation inhibitor
- C ≤ 2.00 %
- D ≤ 4.00 %

Reinforcements
(in V types
only)

- 1 0.2 mm perforated steel sheet
DIN material no. 1.0330
- 2 0.1 mm perforated stainless
steel sheet, DIN material
no. 1.4401
- 3 0.05 mm stainless steel foil
DIN material no. 1.4401
unbonded
- 4 0.05 mm stainless steel foil
DIN material no. 1.4401
bonded
- 5 0.075 mm aluminium foil
DIN material no. 1.4401
two outer layers

Upgrading

- E Sheet type EMAIL
- I Impregnation
- S Self-adhesive finish
- X Corrosion inhibitor

® SIGRAFLEX

Product survey

Table 1

Product	Type	Thickness (mm)	Width (m)	Length (m)	Graphite bulk density (g/cm ³)
SIGRAFLEX FOIL	F....Z	0.15 to 1.0	0.5/1.0	50/100	0.7/1.0/1.1
	F....ZX	0.50	0.5	50	0.7
	F....ZS	0.50	0.5	50	1.0
	F....E	0.35/1.0	0.5	50	0.7/1.0
	F....C	0.25 to 1.0	0.5/1.0	50/100	0.7/1.0/1.1
	F....D	0.35 to 1.0	on request	25/50	1.0/1.1
	F....CS	1.0			1.0
Sheet	L....Z	1.0/1.5/2.0	1.0	1.0	1.0
	L....C	1.0/1.5/2.0	1.0	1.0	1.0
		Homogeneous, free of adhesives and binders			
Impregnated sheet					
SIGRAFLEX STANDARD	L....CI impregnated	1.0/1.5/2.0	1.0	1.0	1.0
		Homogeneous, free of adhesives and binders			
Reinforced sheet					
SIGRAFLEX COMPACT	V....D5	0.5 to 2.0	1.0	1.0	1.0
		Two aluminium foil outer layers, DIN material no. 3.0255, 0.075 mm			
SIGRAFLEX ECONOMY	V....C4	0.5 to 3.0	1.0	1.0	1.0
		Stainless steel foil reinforcement, DIN material no. 1.4401, 0.05 mm, bonded			
SIGRAFLEX AUTOMOTIVE	V....D1	1.0 to 2.0	1.0	1.0	1.0
		Perforated steel sheet reinforcement, DIN material no. 1.0330, 0.2 mm			
SIGRAFLEX NORMAL	V....C2	1.0/1.5/2.0	1.0	1.0	1.0
		Perforated stainless steel sheet reinforcement, DIN material no. 1.4401, 0.1 mm			
SIGRAFLEX UNIVERSAL	V....C2I impregnated	1.5/2.0/3.0	1.0/1.5	1.0/1.5	1.0
		Perforated stainless steel sheet reinforcement, DIN material no. 1.4401, 0.1 mm			
SIGRAFLEX EMAIL	V....Z3E	2.0/3.0	1.0	1.0	1.1
		Two stainless steel foil reinforcements, DIN material no. 1.4401, 0.05 mm, unbonded			
SIGRAFLEX HOCHDRUCK	V....Z3I impregnated	1.0 to 4.0	1.0/1.5	1.0/1.5	1.1
		Multiple stainless steel foil reinforcement, DIN material no. 1.4401, 0.05 mm, unbonded			

Details of other dimensions and reinforcements on request